



STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL
GOVERNOR

CRISTINE A. VOGEL
COMMISSIONER

May 2, 2006

John D. Newman, Esq.
Reid and Reige, P.C.
One Financial Plaza
Hartford, CT 06103

Re: Certificate of Need Determination, Report Number 06-30731-DTR
Connecticut Multispecialty Group, P.C.
Proposal to Acquire C-Arm Fluoroscopy System

Dear Attorney Newman:

On April 20, 2006, the Office of Health Care Access ("OHCA") received a Certificate of Need ("CON") Determination request regarding the proposal of Connecticut Multispecialty Group, P.C. ("CMG") to acquire a fluoroscopy system for a professional medical practice with a fair market value of \$370,558. OHCA has reviewed the information contained in your request and makes the following findings:

1. Connecticut Multispecialty Group, P.C. (CMG") is a multi-specialty physicians group with offices located in the greater Hartford area. CMG is in the process of outfitting a professional medical office space in East Hartford to be operated by CMG's Division of Nephrology. CMG proposes to acquire a Philips Diamond Select/MultiDiagnostic 4 C-arm fluoroscopy system ("fluoroscopy system").
2. The new office, combined with the fluoroscopy system, will allow patients with chronic kidney disease to obtain a variety of office-based professional services, such as evaluation and declotting of fistulas, evaluation and repair of problematic catheter access to prevent thrombosis and tunneled catheter placement or exchange.

3. The estimated total capital expenditure for the proposal is as follows:

Table 1: Total Capital Expenditure

Item	Expenditure
C-arm Fluoroscopy System, inclusive of installation, warranty, and training (fair market value)	\$370,558
Non-medical Equipment	10,000
Sales Tax	22,233
Construction and Renovations	70,000
Total	\$472,791

4. Procedures requiring the use of the fluoroscopy system do not involve the use of moderate or deep sedation, moderate or deep analgesia, or general anesthesia. The procedures to be performed that require the use of the fluoroscopy system will be performed by professionals engaged by CMG pursuant to employment or personal services arrangements.
5. All services will be billed by CMG as professional services. CMG will receive no separate technical fee for these services and no facility fee will be charged.
6. Section 1 (4) (b) of Public Act No. 05-93, "An Act Concerning the Capital Expenditure Threshold for the Regulation of Equipment Acquisitions" requires CON approval for a capital expenditure over one million dollars, or, regardless of cost, for anyone acquiring, purchasing or accepting donation of a CT scanner, PET scanner, PET/CT scanner, MRI, cineangiography equipment, a linear accelerator or other similar equipment utilizing new technology that is being introduced to the state.
7. Section 19a-639, C.G.S. states, in part, that each health care facility or institution proposing a capital expenditure exceeding one million dollars (\$1,000,000), or the acquisition of major medical equipment requiring a capital expenditure in excess of four hundred thousand dollars (\$400,000) requires authorization from OHCA.
8. Section 1(a) of Public Act No. 04-249, "An Act Concerning Regulation of Outpatient Surgical Facilities", states that an outpatient surgical facility shall not include a medical office owned and operated exclusively by a person or persons licensed pursuant to Section 20-13, provided such medical office (1) has no operating room or designated surgical area;(2) bills no facility fees to third party payers;(3) administers no deep sedation or general anesthesia;(4) performs only minor surgical procedures incidental to the work performed in said medical offices...;(5) uses only light or moderate sedation or analgesia in connection with such incidental minor surgical procedures.

Based on the above findings, OHCA has determined that Connecticut Multispecialty Group, P.C. is not proposing to acquire a CON regulated piece of imaging equipment and the proposed capital expenditure does not exceed \$1,000,000. In addition no CON is needed to provide the minor surgical procedures by CMG physicians using the C-arm fluoroscopy system. Therefore, the proposal of Connecticut Multispecialty Group, P.C. to acquire and operate a C-arm

fluoroscopy system in East Hartford, at a total capital expenditure of \$472,791, does not require CON authorization.

Thank you for informing OHCA of your plans. If you have any questions concerning this letter, please contact Laurie Greci, Associate Research Analyst, at OHCA at (860) 418-7001.

Sincerely,

Signed by Cristine A. Vogel
Commissioner

c: Rose McLellan, Licensing Examination Assistant, DHSR, DPH

CAV: lkg